

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ROLANDO JESSE DAZA-CORTEZ,
Defendant-Petitioner,

v.

UNITED STATES OF AMERICA,
Plaintiff-Respondent.

NO. C18-1608RAJ
(CR15-269RAJ)

UNITED STATES' ANSWER TO
AMENDED PETITION FILED
UNDER 28 U.S.C. § 2255
("PETITIONER'S RESPONSE TO
GOVERNMENT'S RESPONSE")

Exhibit 23

Notes from Prior Counsel Emily Gause

April 18, 2017

emily@emilygauselaw.com

From: Emily Gause <emilygause@hotmail.com>
Sent: Tuesday, April 18, 2017 7:56 PM
To: Emily Gause
Subject: Roland Daza termination

Meeting with Roland today

I told Roland that I did not appreciate the way he has treated me so last few times that we had met. He had storms out of meetings with me and been extremely disrespectful. I told him that we would need to work together from here until sentencing or else he should find a new lawyer. At that point he asked me to withdraw.

I explained to him that I would need to continue his presentence interview because he should have representation for that interview. I then told him that I would file a motion to withdraw. Roland claimed that he does not believe I did any work on his case from June until December. He also claimed he did not get any discovery for me and his case until December.

I offered to provide him an accounting of all of the work that I've done on Roland case. But he did not request one. I explained to him that I met with him almost weekly from the moment he hired me all the way to the pretrial motions deadline and that I did this despite being in a seven weeklong trial from October through November. I also explained that I spent a Norma's amount of time writing the pretrial motions and preparing for those hearings. Roland claims that I did not explain the terms of the plea agreement to him fully before he made the decision to reject the offer. I explained to him that the plea agreement and Sells had not been revised or the details ironed out, but that I did show him the government emails. That laid out the terms of the offer and was very clear in leading role and know the deadlines for excepting those terms and the potential consequences if he did not except the governments offer. I explicitly told Roland on several times that I thought he should take the offer rather than risk pretrial motions are going to trial. Roland felt burdened by the time and continue to want to drag out the timeline which the government would not do

He ultimately told me that the governments offer was not good enough I'm rejected the offer. When I explained all of this to Roland he wanted to argue with me about what occurred and complained that he was confused about what the terms of the plea agreement were. I believe he wants to raise ineffective assistance for my explanation of the offer and I believe that there is now a conflict of interest in representing him

Sent from my iPhone